

CFK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIAVictor Walther

(In the space above enter the full name(s) of the plaintiff(s))

City of Philadelphia

- against -

John W. HerkonBurt FeldmanLinda HobkirkPNC Bank

20cv68

COMPLAINTJury Trial: ☒ Yes ☐ No

(check one)

(In the space above enter the full name(s) of the defendant(s) If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names The names listed in the above caption must be identical to those contained in Part I Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

| | | |
|-----------|------------------|--------------------------------|
| Plaintiff | Name | <u>Victor Walther</u> |
| | Street Address | <u>3175 Hammond Dr.</u> |
| | County, City | <u>Delaware, Garnet Valley</u> |
| | State & Zip Code | <u>Pa. 19060</u> |
| | Telephone Number | <u>610 358 1346</u> |

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name City of Phila
 Street Address _____
 County, City _____
 State & Zip Code _____

Defendant No. 2

Name John W. Herkon
 Street Address City Hall
 County, City _____
 State & Zip Code _____

Defendant No. 3

Name Paul Feldman
 Street Address _____
 County, City _____
 State & Zip Code _____

Defendant No. 4

Name PNC Bank
 Street Address _____
 County, City _____
 State & Zip Code _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions ☐ Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue?

illegal selling of Property Located at
809 Shawer town Rd. Garnet Valley, Pa. 19060

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship _____

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary

A. Where did the events giving rise to your claim(s) occur? City of Philadelphia

B. What date and approximate time did the events giving rise to your claim(s) occur? _____

C. Facts: AS the creator and owner of
trust established using funds won in
Settlement.

John W. Herkov conspired with Paul
Galdman and Linda Hobkirk as well as
Pnc Bank to forge documents to
sale property Mr. Walther won in
Settlement

What
happened
to you?

Who did
what?

Was
anyone
else
involved?

Who else
saw what
happened?

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

MR. Walthour and family
was evicted from said residence

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

to be named later

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 3 day of JANUARY, 2020

Signature of Plaintiff

Mailing Address

Butt Deltin
3125 Hammond Dr.
Garnet Valley, Pa. 19060

Telephone Number

610-358-1346

Fax Number (if you have one)

E-mail Address

UCNSide11@Verizon.net

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this _____ day of _____, 20____, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: _____

Inmate Number _____

IN THE COURT OF COMMON PLEAS OF
PHILADELPHIA COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION
O.C. No. 520 AI of 2004
CONTROL No. ~~049687~~ 005848

ESTATE OF ROSALYN PATTERSON WALTHOUR,
AN INCAPACITATED PERSON
DATE OF BIRTH: JUNE 16, 1970

DECREE

AND NOW, this 11th day of September, 2006, upon consideration of the
Petitioners Motion for Approval of Trust for an Incapacitated Person pursuant to PA. R. C. P.
2064, and for Allowances From Trust, it is hereby ORDERED and DECREED that:

1. The trust for Rosalyn Patterson Walthour, an Incapacitated Person, ("Trust") in the form attached as Exhibit "F", is created, approved and incorporated by reference and PNC Bank, National Association is approved and appointed as Trustee of the said Trust;

2. The said Trustee shall accept the settlement proceeds of the personal injury actions for the Incapacitated Person entitled Patterson v. Tenet Health System, et.al, and which were settled, such settlements approved by order of Joseph D. O'Keefe, J., Administrative Judge of Orphans' Court Division, by Orders dated March 24th, 2006, and July 28th, 2006; and shall administer the funds for the benefit of the Incapacitated Person in accordance with the terms of the said Trust;

3. The Trustee is authorized to pay from the principal of the Trust, the following:

a) The Incapacitated Person's annual income taxes and one-half of the corporate trustee's commissions;

b) \$280,440.00 for the Incapacitated Person's estimated annual expenses in the first year, to the extent that income is insufficient, for items such as rehabilitative care; medical

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT
CIVIL TRIAL DIVISION

| | | |
|---------------------------------|---|-------------------------|
| ROSALYN PATTERSON, an | : | COURT OF COMMON PLEAS |
| Incapacitated Person, by VICTOR | : | PHILADELPHIA COUNTY, PA |
| WALTHOUR, Guardian and | : | |
| VICTOR WALTHOUR, h/w | : | SEPTEMBER TERM, 2003 |
| vs. | : | |
| | : | NO. 00430 |
| TENET HEALTH SYSTEM | : | |
| HAHNEMANN, LLC, et al | : | |

| | | |
|---------------------------------|---|-------------------------|
| ROSALYN PATTERSON, an | : | COURT OF COMMON PLEAS |
| Incapacitated Person, by VICTOR | : | PHILADELPHIA COUNTY, PA |
| WALTHOUR, Guardian and | : | |
| VICTOR WALTHOUR, h/w | : | DECEMBER TERM, 2004 |
| vs. | : | |
| | : | NO. 001106 |
| PATRICE TRAUFFER, M.D., et al | : | |

ORDER

AND NOW, this 24th day of March, 2006, upon consideration of the
Petitioners' Motion for Leave to Compromise or Settle an Action Involving an
Incapacitated Person it is hereby ORDERED AND DECREED that Petitioners are
authorized to enter into a settlement with Defendants, Drexel University College of
Medicine, Philadelphia Health & Education Corporation, Fay D. Wright, M.D., Patrice
Trauffer, M.D. and Christopher Rout, M.D., in the gross sum of eleven million nine
hundred thousand (\$11,900,000.00) Dollars. Defendants shall forward all settlement
drafts or checks to Petitioners' counsel for paper distribution.

IT IS FURTHER ORDERED and DECREED that the settlement proceeds be
distributed as follows:

RECEIVED
MAR 22 2006

- (1) To: Rhonda Hill Wilson, Esquire \$225,721.40
For Costs
- (2) To: Rhonda Hill Wilson, Esquire \$3,865,785.30
For Counsel Fees
- (3) To: Commonwealth of Pennsylvania \$186,923.26
Department of Public Welfare Lien
- (4) To: Plaintiffs
- (a) Victor Walthour \$1,000,000.00
- (b) Rosalyn Patterson Walthour, an \$6,621,570.80
incapacitated person; provided that
said funds will be paid to Victor Walthour
and Linda Hobkirk, Esquire, as co-guardians
of the Estate of Rosalyn Patterson
Walthour, and said funds will be deposited
into the account of a trust company for the purposes
which are set forth in the draft trust agreement.

WON
← FOR
House
construction

Within sixty (60) days from the date of this final Order, counsel shall file with the office of Civil Administration an Affidavit from counsel certifying compliance with this Order.

BY THE COURT:

Okup

J.

COPIES SENT
PURSUANT TO Pa.R.C.P. 236(b)

MAR 24 2006

FIRST JUDICIAL DISTRICT OF PA
USER I.D. *AM*